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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/691,126 | 10/21/2003 | Kunihiro Kawahara | 81754.0100 | 5338 |
| 26021 | 7590 | 05/20/2005 | EXAMINER | |
| HOGAN & HARTSON L.L.P. 500 S. GRAND AVENUE SUITE 1900 LOS ANGELES, CA 90071-2611 | | | KASENGE, CHARLES R | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2125 | |

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/691,126

Applicant(s)

KAWAHARA, KUNIHIRO

Examiner

Charles R. Kasenge

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 7-15 and 20 is/are rejected.
- 7) ☒ Claim(s) 4 and 16-19 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 October 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/28/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Objections

1. Applicant is advised that should claim 17 be found allowable, claim 19 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 5, 7-15, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Lech et al. U.S. Patent 6,539,271. Referring to claims 1, 5, and 13, Lech discloses a method of intercorporate information-sharing between a product-manufacturing company and a product-inspecting company comprising: transmitting product quality and manufacturing number information from a product-manufacturing company's database storage device (col. 3, lines 1-6; col. 4, lines 6-9; Fig. 4, #32) to a product-inspecting company's database storage device (col. 4, lines 50-56; col. 5, lines 1-4; Fig. 4, #60); inspecting a product, manufactured by the product-manufacturing company, by the product-inspecting company and storing inspected result

information of the product in the product-inspecting company's database storage device (col. 4, lines 28-49); and transmitting the inspected result information from the product-inspecting company's database storage device to the product-manufacturing company's database storage device (col. 5, lines 11-27). Lech also discloses issuing a product number regarding the product and relating the manufacturing number with the product number in the product-inspecting company and relating the inspected result information with the manufacturing number information (col. 4, lines 28-49). The Office interprets that Lech implicitly disclosing a manufacturing number relating with a product number and relating the inspected result information with the number information. Lech discloses various product parameters being transmitted (col. 3, lines 1-5 and col. 4, lines 28-49) and manufactured products are commonly numbered.

Referring to claims 2, 7-12, 14, 15, and 20, Lech discloses the method of intercorporate information-sharing according to claim 1, wherein the transmitting product quality and manufacturing number information step includes: forming first coded information from the product quality and the manufacturing number information (col. 3, lines 1-6 and col. 4, lines 6-9); transmitting and storing the first coded information to and in a server in the product-inspecting company (col. 4, lines 39-40); and transmitting and decoding the first coded information stored in the server to and in the product-inspecting company's database storage device (col. 5, lines 1-4). Lech discloses the method of intercorporate information-sharing according to claim 2, wherein the transmitting the inspected result information step includes: forming second coded information from the manufacturing number and the inspected result information; transmitting and storing the second coded information to and in the server; and

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transmitting and decoding the second coded information stored in the server to and in the product-manufacturing company's database storage device (col. 5, lines 11-27). The Office interprets that encoding and decoding is inherent to the transmission of electronic data.

Allowable Subject Matter

4. Claim 6 is allowed.
5. Claims 4 and 16-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

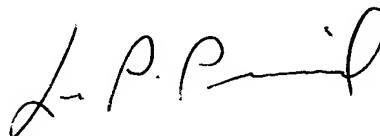
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles R. Kasenge whose telephone number is 571 272-3743. The examiner can normally be reached on Monday through Friday, 8:30 - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on 571 272-3749. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CK
May 6, 2005

A handwritten signature in black ink, appearing to read "L. P. Picard". The signature is fluid and cursive, with a long horizontal stroke at the end.

LEO PICARD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100